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4 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
5 **OF THE STATE OF WASHINGTON**

6 IN RE COMPLIANCE
7 WITH RCW 42.17

) PDC CASE NO.: 03-015
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8 WA ST NATIONAL ABORTION AND
9 REPRODUCTIVE RIGHTS ACTION
LEAGUE

) **FINAL ORDER IMPOSING FINE**
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Respondent.
10 _____)

11 **INTRODUCTION**

12 The Washington State Public Disclosure Commission (Commission) conducted an
13 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on
14 July 23, 2002, with respect to the above-encaptioned matter. The Commission held the
15 hearing at Evergreen Plaza Building, Room 206, 711 Capitol Way South, in Olympia,
16 Washington. The Respondent appeared at the hearing through Karen Cooper, Executive
17 Director, and Melissa Corey, Office Manager, for the Washington State National Abortion
18 and Reproductive Rights Action League. The Staff appeared through Susan Harris,
19 Assistant Director. The Commission held the hearing to determine whether the Respondent
20 violated RCW 42.17.3691 by failing to electronically file contribution and expenditure
21 reports beginning January 1, 2002.
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24 During the hearing, the Staff presented, for the Commission's consideration, the
25 Enforcement Hearing Notice issued July 12, 2002, which alleged a violation of RCW
26 42.17.3691 and included supporting exhibits.

1 Based on this record, the Commission finds that:

- 2 1. RCW 42.17.3691 requires a political committee that expended twenty-five thousand
3 dollars or more in the preceding year or expects to expend twenty-five thousand dollars
4 or more in the current year to electronically file contribution and expenditure reports.
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- 6 2. WAC 390-19-030 defines “expects to expend” as when a filer meets or exceeds the
7 electronic reporting threshold; a filer’s expenditures meet or exceed one-quarter of the
8 electronic reporting threshold in the first calendar quarter of the current calendar year;
9 or a filer’s expenditures meet or exceed one-half of the electronic reporting threshold in
10 the first half of the current calendar year.
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- 12 3. The Respondent spent \$51,022.79 in 2001.
- 13 4. The Respondent was reminded of the electronic filing requirement by letter dated June
14 4, 2002. A second letter was sent on June 27, 2002, advising that enforcement action
15 would result unless the Respondent electronically filed its June C-4 report due July 10,
16 2002.
- 17 5. The Respondent manually filed the C-4 report due February 10, 2002, and continued to
18 manually file reports, up to and including the C-4 report due July 10, 2002.
- 19 6. On July 17, 2002, one week after the filing deadline, the Respondent amended its July
20 10, 2002, C-4 report with an electronic filing.
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22 **ORDER**

23 Based on the record submitted in this matter, the Commission orders as follows:

- 24 1. The Respondent violated RCW 42.17.3691 by failing to electronically file contribution
25 and expenditure reports.
- 26 2. That a total civil penalty of \$500.00 is assessed against the Respondent.

1 3. That \$250 of the penalty is suspended on the condition that the Respondent
2 electronically file all reports covering activity from January 1, 2002, forward by August
3 6, 2002.
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5 **RECONSIDERATION**

6 Any party may ask the Commission to reconsider this final order. Parties must
7 place their requests for reconsideration in writing, include the specific grounds or reasons
8 for the request, and deliver the request to the Public Disclosure Commission Office within
9 TEN (10) days of the date that the Commission serves this order upon the party. Pursuant
10 to RCW 34.05.470(3), the Public Disclosure Commission is deemed to have denied the
11 petition for reconsideration if, within twenty (20) days from the date the petition is filed, the
12 Commission does not either dispose of the petition or serve the parties with written notice
13 specifying the date by which it will act on the petition. Pursuant to RCW 34.05.470(5), the
14 Respondent is not required to ask the Public Disclosure Commission to reconsider the final
15 order before seeking judicial review by a superior court.
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17 **APPEAL RIGHTS**

18 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure
19 Commission is subject to judicial review under the Administrative Procedures Act, chapter
20 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed
21 with the superior court in Thurston County or the petitioner's county of residence or
22 principal place of business. The petition for judicial review must be served on the Public
23 Disclosure Commission and any other parties within 30 days of the date that the Public
24 Disclosure Commission serves this final order on the parties.
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1 If reconsideration is properly sought, the petition for judicial review must be served
2 on the Public Disclosure Commission and any other parties within thirty (30) days after the
3 Commission acts on the petition for reconsideration. The Commission will seek to enforce
4 this final order in superior court under RCW 42.17.395-397, and recover legal costs and
5 attorney's fees, if the penalty remains unpaid and no petition for judicial review has been
6 filed under chapter 34.05 RCW. This action will be taken without further order by the
7 Commission.
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10 DATED THIS 29th day of July, 2002.

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12 FOR THE COMMISSION:

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15 VICKI RIPPIE, Executive Director
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